

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

Case No: 1:21-cv-00012

Brandy Suckley, Reannan Suckley,)
Natasha Calderon, Shoghi Farr, Blake Ish,)
Jyl Albertson, Mathew Baumstark, Danika)
Owan, Doc Ritchie, Lynette Cole-Perea,)
Manuel Perea, Emily Holly, and Bryan)
Fleming,)

Plaintiffs,)

vs.)

The City of Williston, North Dakota,)

Defendant.)

AFFIDAVIT OF HOWARD KLUG

STATE OF NORTH DAKOTA)
) SS.
COUNTY OF WILLIAMS)

I, Howard Klug, being first duly sworn, deposes and states as follows:

1. I am the president of the City Commission for the City of Williston.
2. As an elected official, it is my job to act in the best interests of the community.
3. I am also a dog owner and own a rescue dog that is not of a prohibited breed.
4. I believe the purpose of the City's Pit bull ordinance codified as Chapter 4, Article

VI, § 4-89 of the City Code is to preserve the safety, welfare, and health of the City's residents.

5. There have been numerous incidents involving Pit bull attacks within the City.

Recently, our community was shaken by an attack that occurred at the Rickard Elementary School playground.

6. The Rickard Elementary School playground attack had a large impact on the community. Had § 4-89 been followed, the attacking dogs would not have been at the playground.

7. After the attack, I acknowledged one of the citizens who stepped in to save the Pit bull attack victims at the July 9, 2019, meeting of the Williston Board of City Commissioners. I acknowledged his acts were heroic as he risked his own well-being to save the victims subject to the Pit bull attack. A true and correct copy of the meeting minutes from the July 9, 2019, meeting is attached hereto as Exhibit # 1.

8. It is my belief the prohibition on Pit bulls within City limits has always been to preserve and protect the life, safety, and well-being of the community. The Rickard Elementary School playground attack further established my belief that this ordinance serves a legitimate government purpose.

9. As an elected official, I do not want the citizens of our community walking around our City in fear of being attacked by a Pit bull dog.

10. This ordinance is not taken lightly, as an elected official, I do not want to take a person's pet away from them; however, it is my firm belief that Pit bulls pose a risk of danger to the public as a whole.

11. I was present for Brandy Suckley's presentation to the City Commission on September 8, 2020, and reviewed the information she provided. While I appreciated Suckley's presentation as a member of the community, her presentation did not persuade me that the Pit bull ordinance needed to be changed. Based on my experience as an elected official, the opinions expressed by Suckley were not representative of the public as a whole. Based on my experience, the City's prohibition on Pit bulls has substantial public support. It is my estimation, based on my

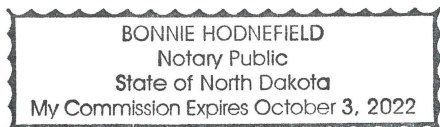
knowledge and experience of the community, that approximately 80% of the voting residents in Williston support of the City's prohibition on Pit bulls.

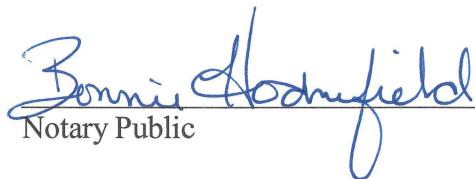
12. I understand there is evidence both in support and in opposition to breed specific legislation. However, it is my opinion that the best interests of the community support keeping the Pit bull ordinance in place to further the health, safety, and well-being interests of the public as a whole.

Dated this 3RD day of JUNE, 2022.

By 
Howard Klug

On this 3RD day of JUNE, 2022, before me personally appeared Howard Klug, known to me to be the person described in the within and foregoing instrument and acknowledged to me that he executed the same.




Notary Public

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of June, 2022, a true and correct copy of the foregoing **AFFIDAVIT OF HOWARD KLUG** was filed electronically with the Clerk of Court through ECF, and that ECF will send a Notice of Electronic Filing (NEF) to the following:

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By /s/ Brian D. Schmidt

BRIAN D. SCHMIDT